

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
Southern District of TexasUnited States District Court  
Southern District of Texas  
FILED

MAY 18 2020

David J. Bradley, Clerk

United States of America  
v.  
Nelda Patricia Rodriguez (1980/USA)

Case No.

M-20-0991-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 17, 2020 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 USC § 952	Illegal Importation of a Controlled Substance / Approximately 9.28 Kilograms of Methamphetamine, a Schedule II Controlled Substance.
21 USC § 963	Conspiracy to Illegally Import a Controlled Substance / Approximately 9.28 Kilograms of Methamphetamine, a Schedule II Controlled Substance.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Complaint authorized by: AUSA Roberto Lopez

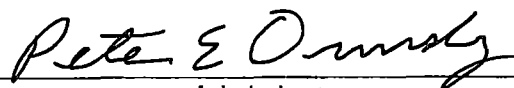
Submitted by reliable electronic means, sworn to  
and attested to telephonically per Fed. R. Cr. 4.1,  
and probable cause found on:Date: May 18, 2020 8:36 a.m.City and state: McAllen, Texas

/s/ Lori Pendergrass

Complainant's signature

Lori Pendergrass, HSI Special Agent

Printed name and title



Judge's signature

U.S. Magistrate Judge Peter E. Ormsby

Printed name and title

**Attachment "A"**

I, Lori Pendergrass, am a Special Agent of the United States Homeland Security Investigations (HSI) and have knowledge of the following facts. The facts related in this attachment do not reflect the totality of information known to me or other agents/officers, merely the amount needed to establish probable cause. I do not rely upon facts not set forth herein in reaching my conclusion that a complaint should be issued, nor do I request that this Court rely upon any facts not set forth herein in reviewing this attachment in support of the complaint.

1. On May 17, 2020, Homeland Security Investigations in McAllen, Texas, (HSI McAllen) received a request for investigative assistance from the U.S. Customs and Border Protection Office of Field Operations at the Progreso Port of Entry (POE) in Progreso, Texas. CBP Officers (CBPOs) detained Nelda Patricia Rodriguez (hereafter RODRIGUEZ), a citizen of the United States, while attempting to enter the U.S. with approximately 9.28 kilograms of methamphetamine concealed within the rear doors of the vehicle she was driving.
2. During primary inbound inspection, CBPOs obtained a negative oral declaration for fruits, food, alcohol, tobacco, drugs, weapons and currency over \$10,000.00. RODRIGUEZ claimed to be going from Nuevo Progreso, Tamaulipas, Mexico to Mission, Texas. RODRIGUEZ claimed to have traveled to Mexico to purchase baby formula. RODRIGUEZ was found to only be in possession of one single 400 gram can of baby formula. Considering the wait time at the Progreso was over three hours, RODRIGUEZ's story seemed implausible and CBPOs referred RODRIGUEZ and the vehicle to secondary inspection for an intensive examination.
3. During secondary inspection, a CBP K-9 drug detection team conducted a free air inspection which resulted in a positive alert for the odor of controlled substance(s) emanating from the vehicle.
4. CBPOs conducted a non-intrusive X-Ray inspection and discovered anomalies in the rear doors of the vehicle.
5. A physical search of the vehicle revealed a total of 20 packages concealed within the rear doors. CBPOs weighed the 20 packages, which weighed approximately 9.28 kilograms on a calibrated scale. CBPOs field tested the substance inside the packages, with a presumptive positive result for the characteristics of methamphetamine.
6. HSI Special Agents responded to the Progreso POE to assist in the investigation. The HSI Special Agents interviewed RODRIGUEZ, who denied knowledge of the methamphetamine concealed within the doors. RODRIGUEZ gave several inconsistent statements regarding her trip to Mexico. A review of RODRIGUEZ's cellular telephone revealed a series of messages appearing to be a rehearsed cover story regarding her trip to Mexico.